

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 968**  
**93RD GENERAL ASSEMBLY**

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Reported from the Committee on Local Government April 11, 2006 with recommendation that House Committee Substitute for Senate Committee Substitute for Senate Bill No. 968 Do Pass by Consent. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

STEPHEN S. DAVIS, Chief Clerk

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**AN ACT**

To repeal sections 320.200, 320.271, 320.300, and 320.310, RSMo, and to enact in lieu thereof five new sections relating to fire protection.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 320.200, 320.271, 320.300, and 320.310, RSMo, are repealed and  
2 five new sections enacted in lieu thereof, to be known as sections 320.200, 320.271, 320.300,  
3 320.310, and 1, to read as follows:

320.200. As used in sections 320.200 to [320.270] **320.271**, unless the context requires  
2 otherwise, the following terms mean:

3 (1) "Division", the division of fire safety created in section 320.202;

4 (2) "Dwelling unit", one or more rooms arranged for the use of one or more individuals  
5 living together as a single housekeeping unit, with cooking, living, sanitary, and sleeping  
6 facilities;

7 (3) **"Fire department", an agency or organization that provides fire suppression**  
8 **and related activities, including but not limited to, fire prevention, rescue, emergency**  
9 **medical services, hazardous material response, or special operation to a population within**  
10 **a fixed and legally recorded geographical area. The term "fire department" shall include**  
11 **any municipal fire department or any fire protection district as defined in section 321.010,**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

12 **or voluntary fire protection association as defined in section 320.300, engaging in this type**  
13 **of activity;**

14 (4) "Fire loss", loss of or damage to property, or the loss of life or of personal injury, by  
15 fire, lightning, or explosion;

16 [(4)] (5) "Investigator", the supervising investigators and investigators appointed under  
17 sections 320.200 to 320.270;

18 [(5)] (6) "Owner", any person who owns, occupies, or has charge of any property;

19 [(6)] (7) "Privately occupied dwelling", a building occupied exclusively for residential  
20 purposes and having not more than two dwelling units;

21 [(7)] (8) "Property", property of all types, both real and personal, movable and  
22 immovable;

23 [(8)] (9) "State fire marshal", the state fire marshal selected under the provisions of  
24 sections 320.200 to 320.270.

320.271. All fire protection districts, fire departments, and all volunteer fire protection  
2 associations as defined in section 320.300 shall **complete and** file with the state fire marshal  
3 within sixty days after [August 13, 1988] **January 1, 2007**, and annually thereafter, [the name  
4 and address of the fire protection district, fire department, or volunteer fire protection  
5 association] **a fire department registration form provided by the state fire marshal. The**  
6 **state fire marshal may issue a fire department identification number to each registered fire**  
7 **protection district, fire department, or volunteer fire protection association based upon**  
8 **such registration. The state fire marshal may conduct periodic reviews of the information**  
9 **provided on each fire department registration form.**

320.300. As used in sections 320.300 to 320.310, the phrase "volunteer fire protection  
2 association" means any fire department which is staffed by volunteers and organized for the  
3 purpose of combating fires in a specified area. The provisions of sections 320.300 to 320.310  
4 shall apply only to volunteer fire protection associations **that provide fire suppression and**  
5 **related activities, including but not limited to, fire prevention, rescue, emergency medical**  
6 **services, hazardous material response, or special operation to a population within a fixed**  
7 **and legally recorded geographical area**, either partially or wholly funded by membership or  
8 subscriber fees and shall not apply to fire protection districts supported by local tax revenues, or  
9 which have contracted with a political subdivision to respond to fires within the area of an  
10 association's boundaries.

320.310. All volunteer fire protection associations [may] **shall** identify the association's  
2 boundaries and file the same with the county administrative body. **Such boundaries shall not**  
3 **encroach upon nor include any portion of another fire department's, as that term is**  
4 **defined in section 320.200, legally established boundaries.**

**Section 1. After January 1, 2007, in any county with a charter form of government  
2 and with more than one million inhabitants, the creation of a fire protection district under  
3 chapter 321, RSMo, shall require the authorization of all adjacent fire protection districts  
4 then existing. The authorization shall be evidenced by a resolution adopted by the boards  
5 of the adjacent fire protection districts.**

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